

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION
No. 1:19-cv-00808-LCB-JLW

ROSETTA SWINNEY, an)
individual and legal guardian)
and next friend to)
J.S., a minor,)
Plaintiff,)
v.)
FRONTIER AIRLINES, INC., et)
al.,)
Defendants.)

JOINT PETITION FOR
APPROVAL OF THE
SETTLEMENT OF
THE MINOR PLAINTIFF'S
CLAIM

NOW COME Plaintiff, by and through her undersigned counsel of record, and Defendant, Frontier Airlines, Inc. ("Frontier"), by and through its undersigned counsel of record, and hereby move the Court for an order approving the minor Plaintiff's settlement in this action. In support of this Motion, the parties show unto the Court as follows:

1. This action arises out of an incident that occurred on April 20, 2019, in Las Vegas, Nevada.
2. Plaintiff and J.S. alleged that they suffered and continue suffer severe mental anguish, emotional distress and physical injuries due to

Defendants deliberate and malicious acts that occurred on April 20, 2019, toward the Plaintiff and J.S.

3. Defendants have denied all liability.
4. The parties agreed to a settlement, subject to court approval, on January 24, 2022, the terms of the settlement are reflected in the Settlement Agreement, which is attached hereto as Exhibit #1.
5. The parties agreed to settle this matter in the amount of [REDACTED]
[REDACTED] Plaintiff and J.S each will receive
[REDACTED]
6. Plaintiffs are represented by Daniels & James, LLC, The Law Office of Julian M. Hall and The Law Offices of Sharika M. Robinson. During the course of representing the Plaintiffs in this personal injury action in which liability was contested, the attorney performed legal services which included drafting and filing pleadings, interviewing witnesses, submitting and responding to discovery, deposing witnesses and mediation.
7. The contingency fee pursuant to the contract entered into with

Plaintiff, on behalf of the minor Plaintiff, [REDACTED]

[REDACTED] represents a reasonable fee for the legal services performed in this action taking into account the experience of counsel, the skill and legal expertise required in handling a contested personal injury claim, the inherent risk involved in representing a client on a contingency basis, the result achieved on behalf of the minor child, and the amount of time which has been expended. Plaintiffs' counsel waives all cost and expenses that were paid by counsel in prosecuting this matter.

8. Pursuant to North Carolina General Statutes § 35A-1227, [REDACTED] to which the minor is entitled shall be paid to the Clerk of Superior Court for Durham County, where the minor is domiciled, as provided in G.S. 7A-111.
9. All parties consent to the entry of an order without requiring the parties to appear in open court for a hearing.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order

approving the settlement of this action as reflected on the settlement documents tendered to the Court and which approves all disbursements reflected therein, including the attorney's fees, reimbursement of expenses, and division of settlement proceeds between the minor Plaintiff and the structured settlement.

DATE: April 27, 2022

/s/Harry M. Daniels

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